IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 10411 of 1997

Between:

M/s.Alapati Enterprises rep.by its Proprietor A.Subba Rao S/o. Papaiah, aged about 50 years, H.No.12-14-406, Lalapet, Moula ali Road, Secunderabad – 500 017

..... PETITIONER

AND

1. The union of India, rep. by its Finance Secretary, Central Secretariat,

New Delhi.

2. The State Bank of India rep. by its Branch Manager, Nacharam

Industrial Area Branch, Hyderabad.

3. The Chairman, Debts Recovery Tribunal (Andhra Pradesh,

Karnataka), Krishi Bhavan, Hudson Circle, Nrupathunga Raod,

Bangalore-2.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction or a writ more particularly one in the nature of Writ of Certiorari quashing the suit or application bearing Original Application NO.900/96 on the file of the Debts Recovery Tribunal at Bangalore after declaring the the Recovery of Debts due to Banks and Financial Institutions Act 51 of 1993 is unconstitutional and invalid.

Counsel for the Petitioner:MR.K.SANKARAYYA

Counsel for the Respondent No.1 & 3: None appeared.
Counsel for the Respondent No.: MR.VAKARAMA RAO

The Court made the following :

O R D E R:

The relief prayed for in the writ petition is for a Writ of Certiorari quashing the suit or application bearing Original Application No.900/96 on the file of the Debts Recovery Tribunal at Bangalore after declaring the Recovery of Debts due to Banks and Financial Institutions Act, 1951 of 1993 as unconstitutional and invalid, and for such other suitable orders.

This question had already decided by the Apex Court and no further orders need be passed. The writ petition is accordingly dismissed. No order as to costs.

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22nd December, 2004.

mrb

To

1. The Finance Secretary,

Union of India, , Central Secretariat,

New Delhi.

2. The Branch Manager, State Bank of India, Nacharam

Industrial Area Branch, Hyderabad.

3. The Chairman, Debts Recovery Tribunal (Andhra Pradesh,

Karnataka), Krishi Bhavan, Hudson Circle, Nrupathunga Raod,

Bangalore-2.

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